

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SHARON JOHNSON and
RACHEL LENAGH,

Defendants.

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8:07CR346

ORDER

This matter is before the court on the motion for an extension of time to file pretrial motions by defendant Sharon Johnson (Johnson) (Filing No. 29) and the motions to continue trial by Johnson (Filing No. 30) and defendant Rachel Lenagh (Lenagh) (Filing No. 31). Johnson and Lenagh have filed affidavits wherein they consent to the motions and acknowledge they understand the additional time may be excludable time for the purposes of the Speedy Trial Act. Moving counsel represent that government's counsel has no objection to the motions. Upon consideration, the motions will be granted.

IT IS ORDERED:

1. Defendant Johnson's motion for an extension of time (Filing No. 29) is granted. Johnson is given until **on or before May 5, 2008**, in which to file pretrial motions. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendants in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **April 7, 2008 and May 5, 2008**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

2. The motions of defendants Johnson and Lenagh (Filing Nos. 30 and 31) are granted.

3. Trial of this matter scheduled for April 7, 2008, is continued *sine die* and will be rescheduled following the disposition of any pretrial motions.

DATED this 7th day of April, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge